

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Wesley Givens,)	C/A No. 5:18-2048-DCC-PJG
)	
)	
Plaintiff,)	
)	
)	
v.)	
)	
)	
)	ORDER
The Honorable Leroy Ravenell, <i>as Sheriff of</i>)	
<i>Orangeburg County; Orangeburg County</i>)	
Sheriff's Office; Orangeburg County; Jason)	
Nelson,)	
)	
Defendants.)	
)	

The plaintiff, Wesley Givens, filed this civil action in July 2018. This matter is before the court pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). On July 22, 2019, the court issued Second Amended Scheduling Order which granted the parties' motion for an extension of time and extended the deadline for filing dispositive motions until October 22, 2019. (ECF No. 27.) As of the date of this order, neither party has filed a potentially dispositive motion as to Defendant Nelson regarding the merits of this case. The parties are hereby

ORDERED to inform the court in writing of the status of this case as to Defendant Nelson on or before November 8, 2019 and advise the court as to whether the case is ready for trial as to this defendant.

With regard to the remaining defendants, on October 16, 2019, Defendants Ravenell, the Orangeburg County Sheriff's Office, and Orangeburg County filed a motion for summary judgment. (ECF No. 29.) As of the date of this order, the plaintiff has failed to respond to the defendants' motion for summary judgment in accordance with Local Civil Rule 7.06 (D.S.C.). As such, it

appears to the court that he does not oppose this motion and wishes to abandon his claims with regard to these defendants. Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether he wishes to continue with his claims against these defendants. Plaintiff is further advised that if he fails to respond, the claims against these defendants may be decided on the record presented in support of these defendants' motion, see Local Civil Rule 7.06 (D.S.C.), or may be recommended for dismissal with prejudice for failure to prosecute. See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b). It is further

ORDERED that if any party intends to seek leave for an extension in which to file a dispositive motion as to Defendant Nelson or a to file a response in opposition to the pending motion for summary judgment, it must establish the requisite standards for such an untimely filing in accordance with the applicable Federal Rules of Civil Procedure and the Local Civil Rules of this court.

IT IS SO ORDERED.

November 4, 2019
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE